U.S. Patent Application Serial No. 10/761,271
Reply to Office Action dated January 8, 2007

Remarks:

Applicants have read and considered the Office Action dated January 8, 2007 and the references cited therein. Claims 1, 7, 9, 13, 19 and 21 have been amended. Claims 1-24 are currently pending. Reconsideration and reexamination are hereby requested.

In the Action, the priority claim was acknowledged. The Office Action indicated, however that the February 3, 2003 date referring to an earlier filed provisional application does not match the records at the U.S. Patent Office. The Office Action indicated that the records show a filing date of February 13, 2003 for provisional application 60/446,751. Applicants have corrected the date and assert that the priority statement is correct.

Claims 9 and 21 were objected to because the word "that" occurs twice in line 2. The second occurrence of "that" has been deleted in each claim. Applicants assert that the objection to claims 9 and 21 has been overcome.

Claims 7 and 19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Office Action indicated that "such as" on line 3 renders the claim indefinite. Claims 7 and 19 have now been amended and the indefinite language has been cancelled from the claim. Applicants assert that the indefiniteness rejection has been overcome.

Claims 1-8, 10, 12-20, 22 and 24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Cecco et al. The Office Action indicates that Cecco teaches a method and a computer readable medium and computer instructions stored thereon for implementing the method for segmenting a region on a display using an input device, the region composed of a bounded area or volume, the display including one or more regions within a larger area or volume, the input device capable of converting a user input into a two or three-dimensional position, the method comprising entering an interactive segmenting mode, then interactively

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specifying a segmentation of the region with the input device, then leaving the interactive segmenting mode. Applicants respectfully traverse the rejection.

Claims 1 and 13 have been amended and both claims recite a method for segmenting an initial region on a display into a set of newly-created independent regions using an input device, the initial region comprising a bounded area or volume of the display. The claims further recite the display including one or more regions within a larger area or volume, the set of newly-created independent regions arranged into a matrix of equally-sized regions, wherein the equally-sized regions in aggregate equal the dimension of the initial region, the input device being adapted to convert a user input into a two or three-dimensional position. The methods further recite entering an interactive segmenting mode, then detecting the initial position of the input device at the time of entering the interactive segmenting mode. The method recites continually performing the following steps until the interactive segmenting mode remains: monitoring the ongoing movements of the input device, continually computing a number of equidistant horizontal and vertical splits to apply to the initial region as a function of the distance of the input device to the initial region, and indicating positions of the pending splits to a user. Claim 1 further recites a method including leaving the interactive segmenting mode and replacing the initial region with the set of newly-created independent regions at the positions previously indicated to the user.

Applicants assert that this is neither shown nor suggested by the Cecco reference or any other prior art or combination thereof. The present invention recites a matrix of regions created from a segment of the initial region. Cecco neither teaches nor suggests such a grid extending in multiple directions. Cecco does not allow for multiple splits in a single step but only allows for splitting into two panes rather than into a multi-dimensional matrix. Applicants assert that the present invention provides for splitting in both the multiple directions by simply dragging left or right or up and down, or any combination thereof, to produce a matrix of new regions. Dragging in a diagonal manner would create a matrix of new regions in multiple directions.

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Claims 1 and 13 have been amended and both claims recite a method for segmenting an initial region on a display into a set of newly-created independent regions using an input device, the initial region comprising a bounded area or volume of the display. The claims further recite the display including one or more regions within a larger area or volume, the set of newly-created independent regions arranged into a matrix of equally-sized regions, wherein the equally-sized regions in aggregate equal the dimension of the initial region, the input device being adapted to convert a user input into a two or three-dimensional position. The methods further recite entering an interactive segmenting mode, then detecting the initial position of the input device at the time of entering the interactive segmenting mode. The method recites continually performing the following steps until the interactive segmenting mode remains: monitoring the ongoing movements of the input device, continually computing a number of equidistant horizontal and vertical splits to apply to the initial region as a function of the distance of the input device to the initial region, and indicating positions of the pending splits to a user. Claim 1 further recites a method including leaving the interactive segmenting mode and replacing the initial region with the set of newly-created independent regions at the positions previously indicated to the user.

Applicants assert that this is neither shown nor suggested by the Cecco reference or any other prior art or combination thereof. The present invention recites a matrix of regions created from a segment of the initial region. Cecco neither teaches nor suggests such a grid extending in multiple directions. Cecco does not allow for multiple splits in a single step but only allows for splitting into two panes rather than into a multi-dimensional matrix. Applicants assert that the present invention provides for splitting in both the multiple directions by simply dragging left or right or up and down, or any combination thereof, to produce a matrix of new regions. Dragging in a diagonal manner would create a matrix of new regions in multiple directions.

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Moreover, claims 1 and 13 recite that the regions are independent regions. Careful review of Cecco shows hierarchical tiling. The tiling arrangement of Cecco has panes on a screen that completely covers the entire window in such a way that the panes do not overlap, as recited in column 7, line 19. Such overlapping hinders the flexibility for moving and manipulating the various panes. Applicants assert that the present invention provides for greater flexibility and easier manipulation of the various panes created by the regions. Applicants assert that the method allows for performing operations in ways that are not possible or obvious in view of Cecco et al. or any other prior art. Moreover, the method of the present invention provides for improved splitting and arrangement in an interactive segmenting mode that is not possible with the limited method of Cecco wherein the panes are not independent. Moreover, the present invention and does not require new regions be children of the original regions.

Furthermore, the panes of the segmenting are split into multiple subregions in a single step, which is not shown or suggested by Cecco, which teaches an operation that will produce at most one new region. The present invention provides for multiple splits in a single step. Moreover, the present invention provides for equal sized splits with advantages for consistency and manipulation. Cecco has panes that have variable sizes. Applicants assert that Cecco does not anticipate nor render obvious claims 1 and 13. Applicants assert that claims 1 and 13 patentably distinguish over Cecco or any other prior art. Moreover, Applicants assert that the claims depending therefrom also patentably distinguish over the prior art for at least the same reasons. Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) be withdrawn.

Claims 9 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cecco et al. in view of Farrah. Applicants assert that claims 1 and 13 are allowable for at least the reasons discussed above. Applicants assert that Cecco does not explicitly teach that the user further receives interactive visual feedback via an overlaid grid display indicating the number of rows and/or columns that result from this interaction with the input device. As stated above,

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Cecco does not allow for multiple segmentation in a single step. The Office Action states that Farrah teaches a graphical user interface to generate a grid that overlays the area of an electronic document. The Action states that it would have been obvious to one of ordinary skill in the art at the time the invention to generate overlaid grid display to indicate the subdivision of an area as taught by Farrah and use such graphical user interface into the method of Cecco because the grid lines allow the area to be sub-divided into a number of regions that can be selected by a user of GUI in the generation of their artwork. Applicants respectfully assert that Farrah does not overcome the shortcomings of Cecco as discussed above. Applicants assert that claims 1 and 13 patentably distinguish over the combination of Cecco and Farrah and that claims 9 and 21 patentably distinguish over the combination and any other prior art for at least the same reasons as well as others. Applicants request that the rejection over Cecco and Farrah be withdrawn.

Claims 11 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cecco et al. in view of Moore et al. The Office Action indicates that Cecco discloses all of the claimed limitations except the reference does not explicitly teach the material contained within the original regions are retained within one of the newly-created regions. The Action states that Moore teaches to place the content of a GUI window into a newly created top pane of the splitter window. The Action states that it would have been obvious to one of ordinary skill in the art at the time of the invention to retain the content of the original region into the newly created region as taught by Moore and use it into the method of Cecco. Applicants respectfully traverse the rejection. Applicants assert that claims 1 and 13 are allowable over Cecco for at least the reasons discussed above. Moore fails to overcome the shortcomings of Cecco and fails to render claims 1 and 13 obvious for at least the reasons discussed above. Applicants assert that claims 11 and 23 patentably distinguish over the prior art for those reasons as well as others provided for as recited in those claims. Applicants respectfully request that the rejection over Cecco and Moore be withdrawn.

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Applicants assert that the claims are in condition for allowance. A speedy and favorable action in the form of a Notice of Allowance is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicants' representative at (612) 336-4728.

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PATENT TRADEMARK

Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: 7/9/07
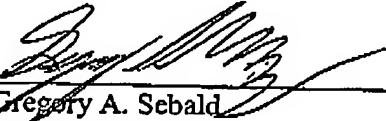
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